

REMARKS

This application has been reviewed in light of the Office Action dated September 18, 2006. Claims 1-4, 6-21, 23-26, 28-43, 45-47, 49-58, and 60-66 are presented for examination, of which Claims 1, 23, 45, and 60 are in independent form. Claims 5, 22, 27, 44, 48, and 59 have been cancelled, without prejudice or disclaimer of the subject matter presented therein, and new Claims 61-66 have been added to provide Applicants with a more complete scope of protection. Claims 1-4, 6-21, 23-26, 28-43, 45-47, 49-58, and 60 have been amended to define Applicants' invention more clearly. Favorable reconsideration is respectfully requested.

The Office Action states that Claims 1, 4, 8-13, 19, 20, 23, 26, 30-35, 41, 42, 45, 51-54, 57, and 60 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 20020072993 (*Sandus*); that Claims 2, 24, and 46 are rejected under § 103(a) as being unpatentable over *Sandus* in view of U.S. Patent Application Publication No. 20030154135 (*Covington*); that Claims 3, 25, and 49 are rejected under § 103(a) as being unpatentable over *Sandus* in view of U.S. Patent Application Publication No. 20030083957 (*Olefson*); that Claims 5-7, 27-29, 47, 48, and 50 are rejected under § 103(a) as being unpatentable over *Sandus* in view of U.S. Patent Application Publication No. 20030033205 (*Nowers*); that Claims 14, 15, 36, and 37 are rejected under § 103(a) as being unpatentable over *Sandus* in view of U.S. Patent Application Publication No. 20050075940 (*DeAngelis*); that Claims 16-18, 38-40, and 55-56 are rejected under § 103(a) as being unpatentable over *Sandus* in view of U.S. Patent Application Publication No. 20030195818 (*Howell*); and that Claims 21, 22, 43,

44, 58, and 59 are rejected under § 103(a) as being unpatentable over *Sandus* in view of U.S. Patent Application Publication No. 20030069832 (*Czepluch*). Applicants respectfully submit that independent Claims 1, 23, 45, and 60, as presented in the listing of claims, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to a method for a user to shop online in a three dimensional (3D) virtual reality (VR) setting. The method includes the steps of “receiving a request at a shopping server to view a virtual shopping location” and “displaying the virtual shopping location on a user computer in a 3D interactive simulation view via a web browser to emulate a real-life shopping experience for the user, the virtual shopping location having at least one store.” The method also includes the steps of “obtaining a request to enter into a store of the virtual shopping location, displaying an actual store website of the store on the user computer in the same web browser, in response to the request to enter into the store, wherein the actual store website of the store is linked to the virtual shopping location and wherein the actual store website does not reside on the shopping server.”

A notable feature of Claim 1 is that the “actual store website” is displayed “to the user in the same web browser.” As an example, the specification of the present application recites the following:

[W]hen clicking the store front, the user may be directed to the virtual reality enhanced portions 70 of the merchant’s *actual website* 54. The user will be linked directly to the merchant’s *actual website* rather than driven through a search engine, which may also be an option for the user. As such a new browser is not required to enter into the merchant’s website.

(Paragraph 26, emphasis added.)¹ *Sandus* does not disclose this feature.

In *Sandus*, an *actual store website* is not displayed to the user. Instead *Sandus* recites:

Referring to FIG 3., one embodiment of the invention may allow the GCI program to design or create retail store interiors.

(Paragraph 84.) This is understood by Applicants to imply that the store interiors of the embodiment disclosed in *Sandus* are not actual store websites that are external to the shopping mall website, as claimed in Claim 1 of the present application. Instead of being linked to an external actual store website, applicants understand *Sandus* as disclosing a graphical store interior that is part of the shopping mall website. Therefore, it is understood that those storefronts disclosed in *Sandus* are not actual store websites, but are images within the shopping mall website. The storefronts of *Sandus* do not directly link the user to an external actual store website.

Further, Applicants understand *Sandus* as speaking in terms of changes to the user views within a web page, not changed views due to viewing an actual store website. *Sandus* recites:

In another embodiment, a store interior 300 can depict the store merchandise as viewed from aisles such as at large department stores with product group identifying signs located overhead of the shelved items. By choosing a location desired, for example by double clicking on the overhead sign or area of shelving for specified items, that area of the store will become the new viewing point in a manner similar to the previous example of clicking on the storefront.

After reaching a decision as what store appeals most, the buyer may choose the view of the appealing stores entrance. A new view (similar to store 300) may be constructed. The buyer may see multiple aisles of products

¹ The example(s) presented herein are for illustrative purposes only. It is to be understood that the claims of the present application are not limited by or to the illustrative example(s).

on shelves with overhanging signs of the product classifications. Upon choosing a particular sign, the buyer's view may change to the shelving associated with the sign. In alternative embodiments, the buyer may also be offered doorways or entrances similar to 310 that upon choosing create new views similar to 300, offering additional services, illustrations, functions, products, or other features.

(Paragraphs 86 and 87.)

As understood by Applicants, Paragraphs 86 and 87 imply that upon entering a store a user remains at the same webpage as before entering. That is, while the user is searching for an item at a store the shopper's view is changed, but the user remains viewing within the shopping mall web page. In other words, the user does not view the product at a store's website. Therefore, *Sandus* discloses a different shopping experience from what is claimed in Claim 1 of the present application.

Many merchants today do not have virtual reality content as part of their web pages. One benefit of the claimed method, which links a virtual shopping location to an actual store website, is that it allows store websites to be separately maintained by their respective owners, and also allows the respective owners to decide whether to include three dimensional or virtual reality content. This results in a greater opportunity for a larger number of merchants to participate in the shopping experience and in turn greater choice for the shopper.

Nothing has been found in *Sandus* that is believed to teach or suggest the above-discussed features of Claim 1. As such, Applicants submit that Claim 1 is not anticipated by *Sandus*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b).

Independent Claims 23, 45, and 60 include features similar to those of Claim 1 and therefore those claims are also believed to be patentable for at least the reasons discussed above. The other rejected claims in this application depend from one or another of the independent claims and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

CONCLUSION

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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